

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2459 – SB 2544

March 5, 2012

SUMMARY OF AMENDMENT (013833): Deletes subdivision (b)(2)(B) in the amendatory language of Section One of the bill. Prohibits any minor who is at least 12 years old but under the age of 21 from entering any establishment which sells intoxicating liquor for off-premise consumption unless such individual is accompanied by a parent, legal guardian, or spouse who is 21 years of age or older. Prohibits any individual who is 21 years of age or older from entering the above establishments if accompanied by a person who is under the age of 21, unless that person is the parent, legal guardian or spouse of the person who is under 21 years of age. Prohibits any individual who is visibly intoxicated from entering into any establishment that sells beverages with alcohol content over five percent by volume, for off-premise consumption. Creates a Class C misdemeanor offense for the first violation of this act punishable by a fine only of \$50. A second violation is a Class A misdemeanor punishable by a fine only of \$200.

Beginning October 1, 2012, each retailer which sells alcoholic beverages for off-premise consumption is required to post at the public entrance to the store signage that states it is an offense to commit any of the above acts. Failure to post such signage does not subject the retailer to a criminal offense or civil fine from the alcohol beverage commission, nor does it prevent the criminal prosecution of any of the above offenses. If any individual is guilty of any offense as detailed above, and is told to leave the premises by the owner, agent, or employee of a retailer and chooses not to, the individual commits a Class C misdemeanor offense of criminal trespass.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue - \$4,300/Recurring
Increase State Expenditures - \$42,700/One-Time

Increase Local Revenue – Not Significant
Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

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Assumption applied to amendment:

- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb